

# UNITED S ES DEPARTMENT OF COMMERCE Patent and Prademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER FILING DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NO. **EXAMINER** J DOTE OBLON SPIVAK MCCLELLAND MAIER & NEWSTADT PC ART UNIT PAPER NUMBER 1940 DUKE STREET 1756 ALEXANDRIA, VA 22314 1 1 Jan 19 DATE MAILED: INTERVIEW SUMMARY All participants (applicant, applicant's representative, PTO personnel): <u>a a ta ti aw (4)alm ay '</u> Date of Interview Type: Telephonic Personal (copy is given to applicant Applicant's representative). Agreement was reached. was not reached. Claim(s) discussed:\_ 09-127711 (AP 711) Identification of prior art discussed: Description of the general nature of what was agreed to if an agreement was reached, or any other comments: (A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.) de. to 20 th eathership to be professible and 3 to i. . . . 1. A It is not necessary for applicant to provide a separate record of the substance of the interview. Unless the paragraph above has been checked to indicate to the contrary. A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has are ready been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. 2. 
Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked. Examiner Note: You must sign this form unless it is an attachment to another form. FORM PTOL-413 (REV.1-96) Janes X. Date

Manual of Patent Examining Procedure, Section 713.64 Substance of Interview must Be Made of Record

A complete written statement as to the substance of any face-to-face or telephone interview with regard to an application must be made of record in the application, whether or not an agreement with the examiner was reached at the interview.

(b) In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for response to Office action as specified in §§ 1.111,1.135. (35 U.S.C.132)

§ 1.2. Business to be transacted in writing. All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

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The Interview Summary Form shall be given an appropriate paper number, placed in the right hand portion of the file, and listed on the "Contents" list on the file wrapper. The docket and serial register cards need not be updated to reflect interviews. In a personal interview, the duplicate copy of the Form is removed and given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephonic interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the telephonic interview rather than with the next official communication.

The Form provides for recordation of the following information:

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- -Serial Number of the application
- -Name of applicant
- Name of examiner Date of interview
- -Type of interview (personal or telephonic)
- Name of participant(s)) (applicant, attorney or agent, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the claims discussed
- -An identification of the specific prior art discussed
- -An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). (Agreements as to allowability are tentative and do not restrict further action by the examiner to the contrary.) contrary.)
- The signature of the examiner who conducted the interview
- Names of other Patent and Trademark Office personnel present.

The Form also contains a statement reminding the applicant of his responsibility to record the substance of the Interview.

It is desireable that the examiner orally remind the applicant of his obligation to record the substance of the interview in each case unless both applicant and examiner agree that the examiner will record same. Where the examiner agrees to record the substance of the interview or when it is adequately recorded on the Form or in an attachment to the Form, the examiner should check a box at the bottom of the Form informing the applicant that he need not supplement the Form by Form or in an attachment to the Form, the examiner successful submitting a separate record of the substance of the interview.

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A complete and proper recordation of the substance of any Interview should Include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown opany demonstration conducted
- 2) an identification of the claims discussed,
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# Manual of Patent Examining Procedure, Section 743.04 Substance of Interview must be Made of Record

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